

ARTICLE __ MUNICIPAL PARKING DISTRICT (MPD) EXPANSION

This amendment proposes to expand the geographic area of the downtown Municipal Parking District, an overlay district, north of its current boundary along Kellogg Avenue and Cowles Lane, to encompass the remaining General Business (B-G) and abutting Limited Business (B-L) districts in the northern end of the downtown, and in the process to include some abutting residential areas and the properties comprising Kendrick park.

A Sustainable Purpose - The purpose of the Municipal Parking District is laid out in Section 7.42 of the Zoning Bylaw:

. . . to encourage the dense development of mixed use buildings and pedestrian spaces in Amherst Town Center. Toward that end, provision of off-street parking is not required for selected uses within the MPD District.

This is consistent with the community's increased emphasis on denser, sustainable development in our centers, as described in the draft Master Plan.

History - The provisions of the original MPD district were amended by the 2008 Annual Town Meeting, converting what had been a "zone" described only in language into a formal overlay zoning district. During the public meetings of the Planning Board's Zoning Subcommittee in which the amendment was developed, in the Board's public hearing on the amendment, and at Town Meeting, there were citizen requests to the Planning Board to finish extending the MPD to the rest of the downtown—to include the northern end. This amendment seeks to accomplish that task.

Why Include Residential Areas? - The existing MPD includes a number of residential properties outside of the business districts, including the 80 unit Ann Whalen Apartments, the 100 unit Clark House, several residential properties on Spring Street, and a number of college residence halls. The proposed expansion of the MPD would include four residential rental properties on the north side of Kellogg Avenue and eleven residential properties east of North Prospect Street and south of Hallock Street—an area dominated by multi-family rental properties. As within Boltwood Walk, over time, residential properties immediately abutting the downtown can be redeveloped, recombined, and reconfigured under their existing zoning so that more residential units are provided and parking can be more provided in sensible and accessible ways. The MPD does not change the regulations of the underlying General Residence (R-G) District in these areas. It only removes the requirement to provide a given number of parking spaces per dwelling unit.

Where Will Needed New Parking Come From? – The fact that the MPD exempts new uses from providing parking does not prohibit new development or redevelopment from providing parking spaces. In fact, in order to be financially successful, most significant development projects will have to provide parking. What the presence of the MPD overlay allows is much greater flexibility in how much parking must be provided on-site.

Why Not Make Them Pay, Instead? – Massachusetts law is less than clear on the legality of communities requiring direct exactions on developers for costs associated with their developments, but clearly allows developers to choose to offer payments or provide alternative services instead of providing amenities on-site. The Zoning Subcommittee of the Planning Board has been examining the possibility of allowing developers the option of making a payment-in-lieu of providing some or all of the parking spaces that would otherwise be required, with the proceeds to be used to create new off-street public parking.

At this point, the only Massachusetts community identified as using this option is Northampton, which has steadily reduced its “fee” per space from the \$16,000/space levied when it was instituted, then down to \$12,000, and now a mere \$2,000/space. Northampton’s Planning Director Wayne Feiden indicates that the payment has been little used, has generated little income, and that its principal benefit has been the flexibility it provides, allowing developers to more intensely build on some existing downtown properties, with the result that increased commercial and residential use of those properties generates increased income for the regular public parking system. For Amherst, the MPD provides this flexibility. If, upon further study, a payment-in-lieu option proves to be viable, it can be added. It is not being recommended as part of this amendment.